

Old Ref. No.: RUT0001-00US  
New Ref. No.: 70439-00003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES RECEIVING OFFICE (RO/US)**

In re International application of	:	
RUTGERS, THE STATE UNIVERSITY, et al.	:	
	:	
US Application No.: 10/536,705	:	Date: March 8, 2006
International Application No.: PCT/US04/20244	:	
	:	
Filed: 26 June 2004 (26.06.2004)	:	
	:	
Title: RIBOSOMAL RNA METHYLTRANSFERASES	:	
Rlma: TARGET VALIDATION AND	:	
PROCESSES FOR DEVELOPING AN	:	
INHIBITOR ASSAY AND IDENTIFICATION	:	
OF CANDIDATE INHIBITORS	:	

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

This letter is in response to Notification of Missing Requirements with respect to above-identified application sent by the U.S.P.T.O. on January 9, 2006.

Please enter the Amendment enclosed with this Response. The listings of the claims in the Amendment replaces all previous listings of the claims in this application. Accordingly, Applicants respectfully submit that they should not be required to pay the fee for 11 independent claims over 3 (\$1100) and the fee for 73 total claims over 20 (\$1825) totaling \$2925. Applicants respectfully submit that no new matter has been added with this Amendment.

Also, attached is the Oath and Declaration signed by the inventors in compliance with 37 C.F.R. 1.497, identifying the application by the International application number and international filing date.

Further, please find enclosed a copy of the Notification of Missing Requirements mailed on January 9, 2006.

The U.S.P.T.O. is authorized to charge the \$65 small entity fee in compliance with 37 C.F.R. 1.27 and the \$500 fee for the Amendment to the claims enclosed with this Response, to Deposit Account No. 50-1943, if the latter fee has not been charged previously. If there are any questions, the Applicants' agent can be reached at 609-844-3021.

Dated: March 8, 2006

Respectfully submitted,

By Vas'lye

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.

10/536,705

FIRST NAMED APPLICANT

Gaetano Montelione

ATTY. DOCKET NO.

RUT0001-00US

INTERNATIONAL APPLICATION NO.

PCT/US04/20244

I.A. FILING DATE

06/26/2004

PRIORITY DATE

06/27/2003

48394  
 NORTON & DIEHL, LLC  
 77 BRANT AVE  
 SUITE 110  
 CLARK, NJ 07066

CONFIRMATION NO. 9294

371 FORMALITIES LETTER



\*OC000000017806045\*

Date Mailed: 01/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Copy of Article 19 Amendments filed on 05/27/2005
- Small Entity Statement filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005

The applicant needs to satisfy supplemental fees problems indicated below:

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$2925** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2990** for a Small Entity.

- \$65 Surcharge.

Additionally the following defects have been observed:

- Article 19 amendments have not been entered because Not Matching Originally Filed claims(Original claims total 93) Article 19 only addressed 69 claims.
- Total additional claim fee(s) for this application is \$ 2925
  - \$1100 for 11 independent claims over 3.
  - \$1825 for 73 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,705	PCT/US04/20244	RUT0001-00US